

REMARKS

This paper is filed in response to the official action dated September 27, 2004, wherein restriction and election of species requirements were imposed. This response is timely filed.

Claims 1-45 are pending in this application. By the foregoing amendments, claims 3, 4, and 12-14 have been amended. Additionally, claims 20-45 have been cancelled and new claims 46 and 47 have been added. No fee is due for new claims 46 and 47. Additionally, no new matter has been added. Claims 1-19, 46, and 47 are at issue.

Restriction Requirement

The official action set forth a restriction requirement between four claim groups. The applicants hereby elect to prosecute claims 1-19 of Group I. This election is made *without traverse*.

Non-elected claims 20-45 have been cancelled herein.

Election of Species Requirement

The official action also set forth an election of species requirement. The official action indicated that the present claims are directed to eleven patentably distinct polymer or oligomer species.

As recognized by the examiner, unity of invention practice, and not restriction practice, is applicable because this application is the U.S. national phase of an international (PCT) application. See M.P.E.P. § 1893.03(d) (8th Ed. rev. 1, Feb. 2003).

“A group of inventions is considered linked to form a single general inventive concept where there is a technical relationship among the inventions that involves at least one common or corresponding technical feature. The expression special technical features is defined as meaning those technical features that define the contribution which each claimed invention, considered as a whole, makes over the *prior art*.” *Id.* (emphasis added).

Here, the examiner simply asserted that “[t]here is no structural element in common between the various combinations of arylene group(s), heteroarylene

group(s) and substituents, and thus lack of unity exists between the various combinations.” *See* official action at page 6.

Because the examiner has neither cited a prior art document that discloses or suggests the method recited by claim 1, nor provided any evidence that the eleven species listed in the official action lack a common technical feature that defines the contribution of all pending claims 1-19, 46, and 47 over the prior art, the examiner applied the incorrect standard for making a lack of unity of invention requirement, and the requirement should be withdrawn.

The applicants respectfully submit that all pending claims 1-19, 46, and 47 relate to an efficient method for the synthesis of a monomer comprising a substituted aromatic or heteroaromatic group for polymerizing to form a polymer or oligomer, which is suitable for use in an electric, electronic, optical or optoelectronic device. The claimed methods provide an ability to control the introduction of substituents in the monomer, for example, so that the substituents can be introduced sequentially and therefore can be different from one another. This is advantageous because it provides the opportunity for selecting the substituents present on repeat units in the polymer. The substituents can be important for controlling the electronic and processing properties of the polymer, and these properties are important for device manufacture and use. Thus, all pending claims 1-19, 46, and 47 relate to the same invention and are linked by the same general inventive concept.

Provisional Election

Pursuant to the requirements of 37 C.F.R. § 1.143, the applicants provisionally elect Species H for continued prosecution in this application, with traverse.

All pending method claims 1-19, 46, and 47 are generic in relation to the eleven species identified by the examiner, and therefore all claims 1-19, 46, and 47 read on the provisionally elected species.

The applicants further submit that the substituent groups and the director groups can either remain in the formed polymer or oligomer, or be converted into a reactive group to form a monomer having two reactive groups that participate in polymerization, as recited by claim 13.

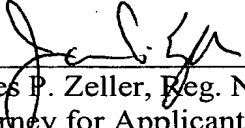
CONCLUSION

It is respectfully submitted that the application is now in condition for allowance. Should the examiner wish to discuss the foregoing amendments and/or comments, or any matter of form or procedure in an effort to advance this application to allowance, he is respectfully invited to contact the undersigned attorney at the indicated telephone number.

Respectfully submitted,

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